

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

August 12, 1940.

Mr. Robert Morrow, Superintendent,
Arizona State School for the Deaf and Blind,
Tucson, Arizona.

Dear Sir:

We have your letter wherein you state:

"During the Fourth Special Session of the Thirteenth Legislature S.B. 10, An Act MAKING AN APPROPRIATION TO THE ARIZONA STATE SCHOOL FOR DEAF AND BLIND FOR BUILDING CONSTRUCTION AND EQUIPMENT, was passed.

"No restriction regarding time was made upon this appropriation. The only condition set forth by the legislature was that the money put up by the state should be matched by federal funds in the ratio of 45% federal money and 55% state funds. The federal and state funds were to amount to about \$260,000. Of that sum approximately \$30,000 was to be used for paving roads, laying sidewalks, and landscaping.

"The Board of Directors of the Arizona State School for the Deaf and the Blind asked me to request your opinion upon:

1. Whether this part of the state appropriation could be used to match federal funds to carry on this work under WPA setup.
2. If the money is available if there is any special way in which it should be handled or may it be used in the way in which we regularly handle our claims for expenditures here at the school."

Chapter 5, Laws of the Fourth Special Session of the Thirteenth Legislature reads in part as follows:

" Section 1, APPROPRIATION. The sum of one hundred forty-four thousand five hundred dollars is appropriated to the Arizona State School for Deaf and Blind as follows: * * * * *

For landscaping, sidewalks and the extension of water service, sewers and

Mr. Robert Morrow

-2-

August 12, 1940.

electrical service, and for repairs and
replacements in existing school
plant \$17,000.00

Section 2. CONDITIONS. (A) each item of the foregoing appropriation is conditioned upon the allotment by the federal government of approximately forty-five per cent of the cost of the project of which the construction, furnishings, equipment, repair or improvement under or in connection with such items forms a part."

As we understand your problem from talking to you, it is that the W. P. A. is willing to furnish the necessary labor to do the work mentioned in your letter, provided the State will furnish the materials required to complete the work.

It is our opinion that if the W. P. A. furnishes labor of a value equal to 45% of the cost of the work mentioned in the act above quoted, you may legally expend the appropriation for the purposes mentioned in said act.

It may be the Auditor will require you to make some showing as to the value or cost of the labor furnished by the W. P. A. This is a matter you can work out with the Auditor's Office.

In answer to your second question, you are advised that said funds should be handled in the same manner as other funds, that is by the presentation of proper claims.

Very truly yours,

JOE CONWAY,
Attorney General.

EARL ANDERSON,
Special Assistant
Attorney General.